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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE
(PPA) PRODUCTS LIABILITY
LITIGATION,

MDL NO. 1407

ORDER RE: APRIL 7, 2003
STATUS CONFERENCE

This document relates to all
actions

The court held a status conference on April 7, 2003. In that conference, the court addressed details associated with the upcoming Daubert hearing. The court ruled as follows:

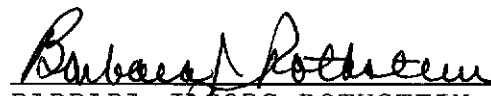
1. The issues for the Daubert hearing are further narrowed since the court's April 4, 2003 order. The court does not find sufficient scientific basis for admitting expert testimony concerning an association between PPA and seizures, or as to hemorrhagic strokes occurring more than three days after ingestion of a PPA-containing product. As such, these topics need not be addressed at the Daubert hearing.
2. The Daubert hearing will begin on April 28, 2003 at 9:00 a.m. and will comprise four days in total, two days for each side. An hour and a half (1½) will be allotted for each

1712

1 witness.* The court does not see a need for opening state-
2 ments, but will reserve a ruling as to the need for closing
3 statements.

- 4 3. The parties will each have seven expert witnesses testify at
5 the Daubert hearing. The following experts will testify on
6 behalf of plaintiffs: Dr. Walter Molofsky; Dr. Edward
7 Feldmann; Dr. James R. McDowell; Dr. Alan Woolf; Dr. Paul R.
8 Pentel; and Dr. Richard W. Clapp. Plaintiffs will provide
9 the name of a cardiac injury expert no later than Friday,
10 April 11, 2003. The following experts will testify on
11 behalf of defendants: Dr. Gregory W. Albers; Dr. R. Steve
12 Roach; Dr. Ralph L. Sacco; Dr. Thomas M. Michel; Dr. Bryce
13 Weir; Dr. Leo Nelson Hopkins; and Dr. Brian B. Hoffman.
- 14 4. The parties will exchange their Daubert exhibits prior to
15 the hearing. Plaintiffs will provide their exhibits as of
16 April 18, 2003, and defendants will provide their exhibits
17 as of April 22, 2003. The parties will also provide copies
18 of those exhibits for the court, the court reporter, and the
19 expert witnesses.

20 DATED at Seattle, Washington this 7th day of April, 2003.

21 
22 BARBARA JACOBS ROTHSTEIN
23 UNITED STATES DISTRICT JUDGE
24

25 *If counsel chooses to re-allocate this time between the
26 various witnesses, they shall notify opposing counsel of their
intent to do so.